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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,081	11/08/2000	Hiroshi Tanaka	0879-0286P	9588
2292	7590	02/10/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			SELBY, GEVELL V	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/708,081

**Applicant(s)**

TANAKA ET AL.

**Examiner**

Gevell Selby

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed on July 16, 2004 have been fully considered but they are not persuasive.

The applicants submit that the prior art does not disclose the limitation of claim 1, "wherein a conductive component included in the camera and insulated from a camera housing, but not electromagnetically shielded, is also used as the radio antenna" and the earphone plug insertion of Daigaku is not analogous to "a conductive component included in the camera". The Examiner respectfully disagrees.

#### **Examiner's Response:**

Re 1) The Yuyama reference discloses all the limitations of claim 1 except that the conductive component is insulated from the camera housing. The conductive component in the Yuyama reference is an earphone jack. The Daigaku reference was brought in as a general teaching to insulate the electrical component on an earphone jack from the body of the electronic device to which it is attached in order to insulate the earphone jack from the other components of the device and prevent interference while still allowing electrical connection the jack. Therefore, the combination of Yuyama and Daigaku discloses all the limitations of claim 1.

Re 2) In response to applicant's argument that "the earphone plug" is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, The Daigaku reference

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is reasonably pertinent to the problem of insulating the conductive component. The conductive component used as an antenna on the camera in the Yuyama reference is an earphone jack; therefore, using the Daigaku reference to teach insulating an earphone jack is analogous.

### *Specification*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuyama et al., 5,612,732 in view of Daigaku, US 4,337,383.**

In regard to claim 1, Yuyama et al., US 5,612,732, discloses a camera comprising:

a communication device (see figure 3, element 4) which allows radio

communication with other unit (see column 5, lines 12-21);

a radio antenna (see figure 1, element 15),

wherein a conductive component previously provided for the camera but not electromagnetically shielded is jointly used as the radio antenna (see column 4, lines 57-59).

Yuyama et al., US 5,612,732, does not explicitly disclose that the earphone jack is insulated from the camera housing. It is well-known and old in the art to have the housing of the earphone jack be made of synthetic resin and an insulating member for one side of the electrical contact to provide insulation to the earphone jack from the body of the electrical device as taught by Daigaku, US 4,337,383 (see column 2, lines 16-17 and 33-36).

It would have been obvious to one skilled in the art at the time of invention to have been motivated to modify Yuyama et al., 5,612,732, in view of Daigaku, US 4,337,383, to have a resin earphone jack housing and an electrical insulating member for the electrical contact in order to insulate the earphone jack from the other components of the device and prevent interference while still allowing electrical connection to the jack to complete the circuit.

In regard to claims 2-12, Yuyama et al., 5,612,732, in view of Daigaku, US 4,337,383, discloses the camera according to claim 1. The Yuyama and Daigaku references do not disclose that the conductive component includes any one of a hot shoe to which an accessory is set, a reflector of a flash, a strap, a strap setting member, a ring member around a photographing ring, a camera operating button, a camera operating dial, a camera operating lever, a lens cover, a cover of a battery, and a cover of a recording-medium storing section.

Official Notice is taken that it is well known in the art to configure any conductive component of an electronic communication device as an antenna in order to reduce the number of parts and miniaturize the device.

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It would have been obvious to a person skilled in the art at the time of invention to be motivated to modify Yuyama et al., US 5,612,732, Daigaku, US 4,337,383, to have the conductive component includes any one of a hot shoe to which an accessory is set, a reflector of a flash, a strap, a strap setting member, a ring member around a photographing ring, a camera operating button, a camera operating dial, a camera operating lever, a lens cover, a cover of a battery, and a cover of a recording-medium storing section in order to reduce the number of parts and miniaturize the device.

### *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 703-305-8623. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs

  
TUAN HO  
PRIMARY EXAMINER